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Bin Lu

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EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

10/14/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/666,344	Applicant(s) LU, BIN	
	Examiner Andy S. Rao	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/14/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2621

DETAILED ACTION

Response To Amendment

1. Applicant's arguments with respect to claims 1-34 as filed on 7/14/08 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4, 6-21 and 24-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al., (hereinafter referred to "Fernandez") in view of Kirsten.

Fernandez discloses a mobile digital security system (Fernandez: figure 1), comprising: a digital video recorder (Fernandez: column 6, lines 15-32; column 8, lines 10-20) disposed in each (Fernandez: column 2, lines 15-20; column 3, lines 10-15) of a plurality of units (Fernandez: column 3, lines 10-15: "one or more target units") and operable to generate a digital video/data signal (Fernandez: column 4, lines 23-35), wherein each a wireless interface coupled to the digital video recorder for encapsulating (Fernandez: column 7, lines 35-45) is adapted for recording of digital video together (Fernandez: column 3, lines 15-20) with other data including a digital water mark for authenticating the video/signal and network streaming (Fernandez: column 5, lines 10-20); a wireless device including a wireless access point (Fernandez: column

Art Unit: 2621

6, lines 10-15: “communicator unit 46”) unit coupled to the wireless interface through a wireless network (Fernandez: column 5, lines 25-35) for receiving the encapsulated and transmitted digital video/data signal (Fernandez: column 3, lines 32-42); at least one central data process unit (Fernandez; column 2, lines 20-30) for detecting new video data in each digital video recorder by checking each digital video recorder's recording history (Fernandez: column 6, lines 58-69; column 7, lines 1-2); and a server coupled to the wireless access point for initiating a remote retrieve function (Fernandez: column 5, lines 25-35) for processing the received digital video/data signal (Fernandez: column 3, lines 40-45), the server further providing the user with remote management and control capabilities over the digital video recorder (Fernandez: column 6, lines 50-67; column 7, lines 1-27; column 8, lines 1-20) wherein the server is implemented with a real time (Fernandez: column 3, lines 10-15: “real-time”) synchronization protocol (Fernandez: column 12, lines 27-32) for alerting a monitoring station (Fernandez: column 10, lines 55-67; column 11, lines 1-6) when the digital video recorder is within a predetermined proximity of the monitoring station (Fernandez: column 12, lines 40-61), as in claim 1. However, Fernandez fails to specifically disclose full frame rate recording as in the claims. Kirsten discloses the use full frame recording (Kirsten: column 10, lines 40-60) in order to implement frame dropping for variable frame rate recording (Kirsten: column 33, lines 30-47) for efficient archiving of recorded images in multi-camera surveillance implementation (Kirsten: column 1, lines 14-45). Accordingly, given this teaching, it would have obvious for one of ordinary skill in the art at the time of the invention to incorporate the Kirsten teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, into the Fernandez mobile digital security system in order to confer efficient archiving protocols to the central server of the

Art Unit: 2621

Fernandez system and thus save in used storage resources. The Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, has all of the features of claim 1.

Regarding claim 2, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the wireless network is a TCP/IP based network (Fernandez: column 3, lines 45-50), as in the claim.

Regarding claim 4, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server is operable to communicate with the digital video recorder (Fernandez: column 3, lines 43-57), as in the claim.

Regarding claim 6, Fernandez discloses wherein the server is operable to provide remote video/data management (Fernandez: column 9, lines 10-25), as in the claim.

Regarding claim 7, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server is operable to provide a real time streaming gateway to a plurality of digital video recorders (Fernandez: column 3, lines 10-15), as in the claim.

Regarding claims 8-9, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server is operable to provide remote real time backup (Fernandez: column 3, lines 10-15) at a variable frame rate (Fernandez: column 12, lines 20-40), as in the claim.

Art Unit: 2621

Regarding claims 10-11 the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server is operable to provide post recording backup (Fernandez: column 11, lines 50-65), as in the claims.

Regarding claim 12, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server is operable to provide a log system for tracking an access to the server (Fernandez: column 9, lines 10-25), as in the claim.

Regarding claim 13, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server is operable to provide HTML based configurations (Fernandez: column 3, lines 7-11) with password authentication (Fernandez: column 5, lines 4-7), as in the claim.

Regarding claim 14, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server is operable to provide triplex real time backup (Fernandez: column 3, lines 9-13), as in the claim.

Regarding claim 15, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server is operable to provide real time monitoring (Fernandez: column 6, lines 15-25), as in the claim.

Art Unit: 2621

Regarding claim 16, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server is operable to provide playback (Fernandez: column 8, lines 20-32), as in the claim.

Regarding claims 17-18, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses further comprising a remote viewing device coupled to the server (Fernandez: column 8, lines 20-43), as in the claim.\

Regarding claim 19, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server comprises an event triggering macro operable to send data to the digital video recorder (Fernandez: column 12, lines 30-40), as in the claim.

Regarding claim 20, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server is operable to provide time and event search queue management (Fernandez: column 12, lines 4-20), as in the claim.

Regarding claim 21, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the server comprises a digital right management module operable to provide playback authentication (Fernandez: column 5, lines 5-10), as in the claim.

Regarding claim 24, the Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to

Art Unit: 2621

storage, discloses wherein the server is operable to provide data synchronization in a database (Fernandez: column 9, lines 10-37), as in the claim.

Fernandez discloses a method of providing mobile digital security (Fernandez: figure 4) comprising the steps of: generating digital video/data (Fernandez: column 4, lines 23-35) at a mobile unit (Fernandez: column 2, lines 15-20; column 3, lines 10-15) including a digital video recorder (Fernandez: column 6, lines 15-30; column 8, lines 10-20), wherein each digital video recorder is adapted for recording of digital video (Fernandez: column 4, lines 20-30) together with other data including a digital water mark for authenticating the video/data signal and network streaming (Fernandez: column 5, lines 10-20); encapsulating (Fernandez: column 7, lines 40-45) and transmitting the digital video/data (Fernandez: column 7, lines 25-35); receiving the encapsulated and transmitted digital video/data (Fernandez: column 3, lines 15-20) using a wireless interface (Fernandez: column 7, lines 45-55) included in the digital video recorder (Fernandez: column 6, lines 15-30; column 8, lines 10-20); and processing the received digital video/data (Fernandez: column 3, lines 25-32) by using a server via a wireless access point for processing the receiving digital video/data (Fernandez: column 5, lines 40-45), wherein the server further providing user with remote management and control capabilities over the digital video recorder (Fernandez: column 6, lines 50-67; column 7, lines 1-27; column 8, lines 1-20), and alerting a monitoring station (Fernandez: column 10, lines 55-67; column 11, lines 1-6) when the digital video recorder is within a predetermined proximity of the monitoring station (Fernandez: column 12, lines 40-61); and detecting new digital video data in the digital video recorder by checking each digital video recorder's recording history (Fernandez: column 6, lines 58-69; column 7, lines 1-2), as in claim 25. However, Fernandez fails to specifically disclose full

Art Unit: 2621

frame rate recording as in the claims. Kirsten discloses the use full frame recording (Kirsten: column 10, lines 40-60) in order to implement frame dropping for variable frame rate recording (Kirsten: column 33, lines 30-47) for efficient archiving of recorded images in multi-camera surveillance implementation (Kirsten: column 1, lines 14-45). Accordingly, given this teaching, it would have obvious for one of ordinary skill in the art at the time of the invention to incorporate the Kirsten teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, into the Fernandez method for providing mobile digital security in order to confer efficient archiving protocols to the central server of the Fernandez method and thus save in used storage resources. The Fernandez mobile security method, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, has all of the features of claim 25.

Regarding claims 26-27, the Fernandez mobile security method, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the digital video/data is generated by a digital video recorder (Fernandez: column 8, lines 10-20), as in the claims.

Regarding claim 28, Fernandez discloses wherein the digital video/data is stored in a digital storage media, (Fernandez: column 8, lines 15-20), as in the claim.

Regarding claim 29, Fernandez discloses wherein the digital video/data is transmitted over a wireless TCP/IP based network (Fernandez: column 3, lines 45-50), as in the claim.

Regarding claim 30, the Fernandez mobile security method, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to

Art Unit: 2621

storage, discloses wherein the digital video/data is processed by a server (Fernandez: column 3, lines 25-35), as in the claim.

Regarding claims 31-32, the Fernandez mobile security method, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses wherein the digital video/data is synchronized with a server database in real time (Fernandez: column 3, lines 10-15), as in the claims.

Regarding claim 33, the Fernandez mobile security method, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses further comprising the step of providing encrypted password authentication before encapsulating and transmitting the digital video/data to a server (Fernandez: column 5, lines 5-10), as in the claim.

Regarding claim 34, the Fernandez mobile security method, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, discloses further comprising the step of transmitting the processed digital video/data to a remote client over an IP network (Fernandez: column 3, lines 45-50), as in the claim.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al., (hereinafter referred to as "Fernandez") in view of Kirsten as applied to claims 1-2 above, and further in view of Lewellen (US 2004/0008255 hereinafter referred to as "Lewellen").

The Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, has an majority of the features of claim 3, has been discussed above concerning claims 1-2, and further discloses that the network is a wireless WLAN (Fernandez: column 2, lines 29-32). However, the

Art Unit: 2621

Fernandez-Kirsten combination fails to disclose that the wireless WLAN uses the 802.11b standard as in the claim. Lewellen discloses that for wirelessly transmitting surveillance systems it is known to the 802.11b standard for wireless transmission of information because such a transmission standard provides Ethernet connectivity but doesn't interfere with Bluetooth devices (Lewellen: paragraph [0041], lines 1-17). Accordingly, given this teaching, it would have been obvious for one of ordinary skill in the art at the time of the invention to modify the WLAN in the Fernandez-Kirsten combination to transmit according to the 802.11b standard to allow for Ethernet connectivity without interfering with Bluetooth based devices in the system. The Fernandez system, now The Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage and further incorporating the use of the 802.11b wireless standard as shown by Lewellen, has all of the features of claim 3.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al., (hereinafter referred to as "Fernandez") in view of Kirsten as applied to claim 1, above, and further in view of Johnson et al., (hereinafter referred to as "Johnson").

The Fernandez mobile security system, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage, has a majority of the features of claim 3 as has been discussed above concerning independent claim 1, and further discloses wherein the mobile unit is a vehicle (Fernandez: column 2, lines 15-20) and that the server is disposed with the authorities (Fernandez: column 10, lines 65-67; column 11, lines 1-6). However, the Fernandez-Kirsten combination fails to disclose the appropriate authorities are a police station and that the vehicle is a police vehicle as in the claim. Johnson

Art Unit: 2621

discloses a surveillance system used by law enforcement for keeping track of police officer activity while in the field from a police department in order to provide the precinct (Johnson: column 8, lines 50-55) with status information of the officers during patrols (Johnson: column 9, lines 50-65). Accordingly, given this teaching, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the use of the Johnson teaching of having the mobile unit being a police vehicle and having the server being in a police station into the Fernandez-Kirsten combination in order to have corroborate officer deployment in response to a received 911 alert (Fernandez: column 11, lines 1-5). The Fernandez apparatus, now incorporating Kirsten's teaching of full frame rate recording for conversion to a variable frame rate conversion prior to storage and further modified to the mobile unit be a police vehicle and have the server located in a police station as shown by Johnson, has all of the features of claim 5.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2621

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andy S. Rao
Primary Examiner
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Primary Examiner, Art Unit 2621
October 9, 2008